

ESTTA Tracking number: **ESTTA547194**Filing date: **07/08/2013**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	SEQUOIA CAPITAL OPERATIONS, LLC		
Entity	Corporation	Citizenship	Delaware
Address	3000 Sand Hill Rd. Bldg. 4 Suite 250 Menlo Park, CA 94025 UNITED STATES		

Attorney information	John L. Slafsky Wilson Sonsini Goodrich & Rosati 650 Page Mill Road Palo Alto, CA 94304-1050 UNITED STATES jslafsky@wsgr.com, trademarks@wsgr.com Phone:(650) 493-9300
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Registration Subject to Cancellation

Registration No	3984290	Registration date	06/28/2011
Registrants	Dobson, Kirk D 804 Alana Court Pleasant Hill, CA 94523 UNITED STATES Leger, Gary M 460 Tonopah Drive Fremont, CA 94539 UNITED STATES		

Goods/Services Subject to Cancellation

Class 036. First Use: 2010/07/21 First Use In Commerce: 2010/07/21
All goods and services in the class are cancelled, namely: Financial planning and investment advisory services, excluding venture capital, private equity and hedge fund services

Grounds for Cancellation

Abandonment	Trademark Act section 14
Priority and likelihood of confusion	Trademark Act section 2(d)

Marks Cited by Petitioner as Basis for Cancellation

U.S. Registration No.	2629948	Application Date	05/08/2000
Registration Date	10/08/2002	Foreign Priority Date	NONE

Word Mark	SEQUOIA CAPITAL
Design Mark	
Description of Mark	NONE
Goods/Services	Class 036. First use: First Use: 1972/00/00 First Use In Commerce: 1972/00/00 VENTURE CAPITAL FINANCING

U.S. Registration No.	2837592	Application Date	05/08/2000
Registration Date	05/04/2004	Foreign Priority Date	NONE
Word Mark	SEQUOIA CAPITAL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 1978/00/00 First Use In Commerce: 1978/00/00 VENTURE CAPITAL FINANCING		

Attachments	Petition to Cancel SEQUOIA WEALTH MANAGEMENT PARTNERS.pdf(272730 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/John L. Slafsky/
Name	John L. Slafsky
Date	07/08/2013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Trademark Registration No. 3,984,290
For the Mark: SEQUOIA WEALTH MANAGEMENT PARTNERS
Registration date: June 28, 2011

SEQUOIA CAPITAL OPERATIONS, LLC,)	
)	Cancellation No.:
Petitioner,)	
)	
v.)	PETITION FOR CANCELLATION
)	
GARY M. LEGER, dba SEQUOIA WEALTH)	
MANAGEMENT PARTNERS, and KIRK D.)	
DOBSON, dba SEQUOIA WEALTH)	
MANAGEMENT PARTNERS,)	
)	
Respondents.)	
)	

Petitioner Sequoia Capital Operations, LLC (“Petitioner”) believes that it has been and will be damaged by Registration No. 3,984,290 and hereby petitions to cancel the registration.

As grounds for this Petition, Petitioner alleges that:

1. Petitioner is the operating arm of the well-known California-based venture capital, private equity and investment firm known as Sequoia Capital.
2. Since its founding in the 1970s, Sequoia Capital has invested capital in numerous start-up companies, many of which have now grown to be highly successful technology and Internet giants, including Apple, Cisco, Oracle, Google, Yahoo, YouTube, PayPal and Dropbox. Sequoia Capital’s investment services are among the most highly regarded in the world.
3. Petitioner is informed and believes, and therefore alleges, that Respondent Gary M. Leger, dba Sequoia Wealth Management Partners, is a United States individual located at 460

Tonopah Drive, Fremont, California 94539, and Respondent Kirk D. Dobson, dba Sequoia Wealth Management Partners, is a United States individual located at 804 Alana Court Pleasant Hill, California 94523 (together, “Respondents”). Petitioner is informed and believes, and therefore alleges, that Respondents own Registration No. 3,984,290 for the mark SEQUOIA WEALTH MANAGEMENT PARTNERS (the “Registration”). According to public records of the United States Patent and Trademark Office, the current information regarding the Registration is as follows:

Registrants:	Gary M. Leger, dba Sequoia Wealth Management Partners Kirk D. Dobson, dba Sequoia Wealth Management Partners
Mark:	SEQUOIA WEALTH MANAGEMENT PARTNERS
Last listed address:	For Gary M. Leger, 460 Tonopah Drive, Fremont, California 94539 For Kirk D. Dobson, 804 Alana Court, Pleasant Hill, California 94523
Registration date:	June 28, 2011
International Class:	36
Services:	Financial planning and investment advisory services, excluding venture capital, private equity and hedge fund services.

4. Petitioner is the owner of the SEQUOIA and SEQUOIA CAPITAL trademarks, among others, for venture capital financing, private equity and other investment services.

5. Petitioner has offered its services under the marks SEQUOIA and SEQUOIA CAPITAL throughout the United States and in other countries since at least as early as 1972, and has developed valuable goodwill with respect to the marks.

6. Petitioner is the owner of numerous trademark registrations and applications for SEQUOIA CAPITAL and marks incorporating SEQUOIA, including:

a. Reg. No. 2,629,948 for SEQUOIA CAPITAL in connection with “venture capital financing,” registered on October 8, 2002, and claiming a first use date at least as early as 1972;

b. Reg. No. 2837592 for SEQUOIA CAPITAL and Design in connection with “venture capital financing,” registered on May 4, 2004, and claiming a first use date at least as early as 1978;

7. By virtue of over four decades of use of the mark, the expenditure of considerable resources for promotional and advertising activities, and the excellence of its services, Petitioner has gained for its marks SEQUOIA and SEQUOIA CAPITAL a valuable reputation and has created in the minds of the public an exclusive association between the SEQUOIA and SEQUOIA CAPITAL marks and Petitioner’s investment services.

8. Respondents’ addresses are both in the San Francisco Bay Area, where Petitioner is based and is particularly well-known.

9. On information and belief, Respondents did not use the mark in the Registration prior to July 21, 2010, the date of first use listed in the Registration.

10. Petitioner’s use of its SEQUOIA and SEQUOIA CAPITAL marks and application for its SEQUOIA CAPITAL mark are prior to Respondents’ use of and application for the mark in the Registration.

11. The mark in the Registration is likely to be confused with Petitioner’s SEQUOIA and SEQUOIA CAPITAL trademarks, because the marks are confusingly similar in appearance, sound, and meaning, and convey a confusingly similar commercial impression.

12. The services in the Registration are related to the investment services of Petitioner, and use of Respondents' mark in connection with such services so nearly resembles Petitioner's use as to be likely to cause confusion, mistake, or deception.

13. Upon information and belief, Respondents have not used, or have stopped using, the mark in the Registration in commerce.

14. Upon information and belief, Respondents have not used, or have stopped using, the mark in the Registration in commerce with an intent not to resume use.

15. Upon information and belief, the mark in the Registration has been abandoned.

16. If the Registration is not cancelled, Petitioner will be damaged because, among other reasons, confusion in the trade and in the public is likely to result, injuring Petitioner's reputation in the trade and with the public. That confusion will also injure the public, in that consumers, upon seeing Respondents' mark used in connection with Respondents' services, are likely to believe that Respondents' services are somehow associated with or approved by Petitioner.

17. If the Registration is not cancelled, Petitioner will be further damaged because, among other reasons, the U.S. Patent and Trademark Office has cited the Registration as a bar to registration of two trademark applications that Petitioner has filed for marks incorporating the term SEQUOIA.

WHEREFORE, Petitioner prays that Registration No. 3,984,290 be cancelled and that this Petition for Cancellation be sustained in favor of the Petitioner.

Petitioner authorizes payment of the required filing fee of \$300.00 from its counsel's USPTO Deposit Account. Please charge the fee to Deposit Account No. 23-2415 ATTN: 9040.521.


Please address all U.S.P.T.O. communications regarding this Petition to Petitioner's attorneys:

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Dated: July 8, 2013

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: 
John L. Slafsky

Attorneys for Petitioner
SEQUOIA CAPITAL OPERATIONS, LLC

